

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN THE MATTER OF THE APPLICATION OF
VANTAGE MEZZANINE FUND II
PARTNERSHIP acting through VANTAGE
MEZZANINE FUND II (PTY) LTD FOR AN
ORDER TO TAKE DISCOVERY PURSUANT
TO 28 U.S.C. §1782

No. 23-MC-_____

~~proposed~~ **ORDER GRANTING THE *EX PARTE* APPLICATION
OF VANTAGE MEZZANINE FUND II PARTNERSHIP
FOR AN ORDER TO TAKE DISCOVERY PURSUANT TO 28 U.S.C. §1782**

This matter comes before the Court on the *ex parte* Application of Vantage Mezzanine Fund II Partnership acting through Vantage Mezzanine Fund II (Pty) Ltd (“**Vantage**”) for an order to take discovery pursuant to 28 U.S.C. §1782, for use in proceedings to recognize an arbitral award against Mr. John Eric Kodwo Taylor (“**Mr. Taylor**”) and seek related relief before foreign courts (the “**Application**”). The Court has considered Vantage’s Application and exhibits thereto, together with its accompanying Memorandum of Law, and good cause having been shown;

IT IS HEREBY ORDERED THAT:

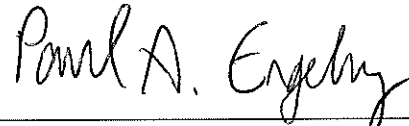
- (a) Vantage’s Application is granted;
- (b) Respondents The Clearing House Payments Company L.L.C.; Barclays Bank PLC; Citibank N.A., Deutsche Bank Trust Company Americas, HSBC Bank USA, N.A., JPMorgan Chase Bank, N.A., The Bank of New York Mellon, The Northern Trust Company, f/k/a The Northern Trust International Banking Corporation, UBS AG and Wells Fargo Bank N.A. shall make available to Vantage all documents responsive to the categories of documents described in Appendix “1” of this Order within twenty

(20) days of service of this Order on each respective Respondent or at such other time as may be agreed;

- (c) Luke F. Zadkovich, Edward Floyd, Eva-Maria Mayer, and Filipp A. Vagin, and any other attorneys affiliated with the law firm Zeiler Floyd Zadkovich (US) LLP and admitted to practice before this Court are appointed as examiners to: (i) obtain the requested documents and information pursuant to Appendix "1" to this Order; and (ii) to issues subpoenas to Respondents to obtain documents, with Appendix "1" to this Order attached to such subpoenas as the enumeration of document categories; AND
- (d) Vantage is ordered to serve a copy of this Order on Respondents.

IT IS SO ORDERED.

Dated: May 17, 2023



United States District Judge
Hon. Paul Engelmayer

APPENDIX 1

UNITED STATES DISTRICT COURT
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PRODUCTION OF DOCUMENTS

The Clearing House Payments Company L.L.C. (“**Clearing House**”, “**CHIPS**”), Barclays Bank PLC; Citibank N.A., Deutsche Bank Trust Company Americas, HSBC Bank USA, N.A., JPMorgan Chase Bank, N.A., The Bank of New York Mellon, The Northern Trust Company, f/k/a The Northern Trust International Banking Corporation, UBS AG and Wells Fargo Bank N.A. (“**Respondents**”) shall produce copies of the documents described herein no later than twenty (20) days from service upon them of the foregoing Order, at the offices of Zeiler Floyd Zadkovich (US) LLP, 33 E 33rd Street, Suite 905, New York, NY 10016.

DEFINITIONS AND INSTRUCTIONS

A. Each of the Uniform Definitions in Discovery Requests which are set forth in Local Civil Rule 26.3 for the United States District Court for the Southern District of New York, is and shall be deemed to be, fully incorporated herein.

B. “Kodwo & Sons Limited” means Kodwo & Sons Limited, a Maltese entity with company number C 79243.

C. “Moonstone Corporation Limited” means Moonstone Corporation Limited, a Bermudan entity with company number 47728.

D. “John Eric Kodwo Taylor” means Mr. John Eric Kodwo Taylor, an individual of Ghanaian and Maltese nationalities, born on March 3, 1958.

E. “Newbury Cocoplum LLC” means Newbury Cocoplum LLC, a Florida limited liability company with identification number 98-0473588.

F. “Newbury Investments Venture Ltd” means Newbury Investments Venture Ltd, a British Virgin Islands entity with company number 680631.

G. “Newbury Properties LLC” means Newbury Property LLC, a Florida limited liability company with identification number 98-0473588.

H. “You” and “Your” refers to the Respondents.

INSTRUCTIONS

A. These Requests are directed to every document in Your possession or subject to Your custody and control.

B. These Requests are to be deemed a continuing in nature, and documents that are responsive but are discovered subsequent to an initial production should be promptly produced in the same manner, and at the same address, as the initial production.

C. All documents produced pursuant to these Requests shall be produced as they are kept in the usual course of business, shall be identified by the title of the file in which they are located, and shall be identified as to the request in response to which they are being produced.

D. Each Request for a document or documents to be produced requires the production of the document in its entirety, without redaction or expurgation.

E. If there are no documents responsive to a category in these Requests, so state in writing.

F. If any documents called for by these Requests is withheld under a claim of privilege; such claim should be made expressly and must state: (a) the author of the document; (b) the date of the document; (c) the subject matter of the document; (d) each person to whom an original copy of the document was sent; (e) every other person who received the document or a copy of the document; and (f) the basis for the claim of privilege.

G. Where an objection is made to any Request or sub-part thereof, the objection shall state with specificity as to all grounds.

H. Each Request covers the period from January 29, 2021, through present, unless otherwise specified. If a document prepared before this period is necessary for a correct or complete understanding of any document covered by a Request, You must produce the earlier document as well. If any document is undated and the date of its preparation cannot be determined, the document shall be produced if otherwise responsive to the production Request.

DOCUMENT REQUESTS

1. All documents, including but not limited to any form of communications, messages, requests, reports or confirmation, concerning amounts of money owned by, transferred to, transferred from, transferred pursuant to instructions from, or transferred for the benefit of Mr. Taylor, Moonstone Corporation Limited, Kodwo & Sons Limited, Newbury Cocoplum LLC, Newbury Investments Venture Ltd, and Newbury Properties LLC (or any entities whose name(s) include the phrases “Moonstone”, “Moonstone Corporation” “Kodwo & Sons”, “Kodwo”, “Newbury”, “Cocoplum”, “Newbury Cocoplum”, “Newbury Investments”, or “Newbury Properties”).

2. All documents concerning wire transfers, SWIFT messages, book transfers or other forms of transferring cash, funds, or securities which contain references to:

- a. John Eric Kodwo Taylor; OR
- b. John Eric Taylor; OR
- c. John Kodwo Taylor; OR
- d. John E. Taylor; OR
- e. John E. K. Taylor; OR
- f. John Taylor; OR
- g. Moonstone Corporation Limited, OR
- h. Kodwo & Sons Limited, OR
- i. Newbury Cocoplum LLC, OR
- j. Newbury Investments Venture Ltd, OR
- k. Newbury Properties LLC OR
- l. any entities whose name include the phrases "Moonstone", "Moonstone Corporation" "Kodwo & Sons", "Kodwo", "Newbury", "Cocoplum", "Newbury Cocoplum", "Newbury Investments", or "Newbury Properties"); OR
- m. "145 Orquidea Avenue"; OR
- n. "1425 Brickell Avenue, unit 43E".